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11
12 **THE UNITED STATES BANKRUPTCY COURT**
13 **EASTERN DISTRICT OF CALIFORNIA**
14 **MODESTO DIVISION**

15 **In re:**

16 **ROBERT AND MARICELA CORAL,**

17 **Debtors.**

18 SSN: XXX-XX-2275; XXX-XX-9597
19 9220 Morton Davis Dr.
20 Patterson, CA 95363

21 **Case No.: 09-91695-D-7**

22 **DC NO.: MGO-5**

23 **Chapter 7**

24 **Date:** January 27, 2010
25 **Time:** 10:30 a.m.
26 **Place:** 1200 I Street, Suite 4
27 **Judge:** Modesto, California 95354
28 Hon. Robert S. Bardwil

19 **TRUSTEE'S MOTION FOR AUTHORITY TO ABANDON REAL PROPERTY**

20 Pursuant to 11 U.S.C. § 554 and Federal Rules of Bankruptcy Procedure Rule 6007,
21 Michael D. McGranahan, Chapter 7 Trustee ("Trustee") of the Estate of ROBERT AND
22 MARICELA CORAL ("Debtors"), respectfully requests that certain real property be
23 abandoned, as follows:

24 1. A Voluntary Petition was filed on June 5, 2009 as a Chapter 7 case. Trustee was
25 duly appointed the Chapter 7 Trustee of the Estate of the Debtors on June 5, 2009.
26 2. The Court has jurisdiction over this matter under 28 U.S.C. §§ 1334 and 157.
27 3. Among the assets which constitute property of the Estate are two parcels of real
28 property commonly described as: 1331 Daisy Drive, Patterson, CA 95363; and 9220 Morton

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Davis Drive, Patterson, CA 95363.

4. Both properties have secured claims that exceed their value, as set forth in the Debtors' Amended Schedules filed July 23, 2009, as follows:

Location of Property	Current Value	Amount of Secured Claim
1331 Daisy Drive, Patterson, CA 95363	300,000.00	446,110.00
9220 Morton Davis Drive, Patterson, CA 95363	225,000.00	346,682.00

5. The real property listed above is over-encumbered and thus there is no equity for the benefit of the Estate.

6. The Estate would potentially suffer detrimental tax consequences should either of the properties be foreclosed upon during the pendency of the case.

7. In light of the foregoing, Trustee believes that 1331 Daisy Drive, Patterson, CA 95363 and 9220 Morton Davis Drive, Patterson, CA 95363 are burdensome to the Estate or are of inconsequential value and benefit to the Estate and should be abandoned to the Debtors.

WHEREFORE Trustee prays:

A. That the Court issue an order authorizing the abandonment of 1331 Daisy Drive, Patterson, CA 95363 to the Debtors;

B. That the Court issue an order authorizing the abandonment of 9220 Morton Davis Drive, Patterson, CA 95363 to the Debtors; and

C. For such other and further relief as the Court deems just and proper.

OLEKSA LAW OFFICE, P.C.

/s/ Michelle G. Oleksa

By: Michelle G. Oleksa,
Attorney for Trustee